



July 9, 2009

The Honorable Jeff Mayes
Chairman, House Energy and Technology Committee
Room 1285 House Office Building
Lansing, MI 48909

Dear Representative Mayes:

As a representative of Midwest Electric, I am concerned about Michigan's Frost Law and its negative impact on utility contractors. Michigan's Frost Law takes effect during the months of March, April and May each year. During these months, weight limits on certain county roads are generally reduced by 35%. This weight limit reduction presents special problems for my company. Many of our utility repair and maintenance vehicles are not able to meet this reduced weight limit; however, the need for reliable and efficient utility service does not end during those months.

Michigan's Frost Law only partially accommodates itself to the important needs of its citizens and businesses for reliable and efficient utility service. Michigan's utilities and their contractors may use county roads under Michigan's unreduced weight limits to respond to emergencies. However during these three months, utilities, **but not their contractors**, may obtain permits for their vehicles to use county roads under unreduced weight limits for non-emergency utility work such as trenching for underground electric and gas service, maintaining overhead power lines and tree trimming in preparation for spring storms. Contractors do much of this work. Denying utility contractors the same ability to obtain permits to use county roads degrades utility industry efforts to operate reliably and efficiently.

We are a company that provides construction and maintenance of the power infrastructure within the utility industry. We perform these services for AEP - Indiana & Michigan Power in the State of Michigan. Additionally we have performed contract services for utilities throughout the United States. Finally, we have also mobilized over 100 employees on numerous occasions to assist with power restoration during Michigan's times of need.

We have been in this business for 26 years. We carry substantial commercial general liability insurance to ensure we are well prepared for the many risks of our business. We employ 250 individuals, 25 of whom are from Michigan. Additionally the International Brotherhood of Electrical Workers, often known as the IBEW, generally represents our employees.

We believe Michigan's current law, which allows utilities permitted use of county roads during March, April and May, is a fair compromise between the interests of maintaining roads and providing reliable and efficient utility service. We are doing the same work as utilities, and that work should be accorded the same privileges and responsibilities whether performed by a utility or its subcontractor.

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I ask for your support of HB 4999 to address this issue. HB 4999 would simply allow utility contractors to use county roads during the months of March, April and May under the same rules that apply to the utilities that employ them.

Regards,

A handwritten signature in black ink, appearing to read "Jarrod Wachter", with a stylized flourish at the end.

Jarrod Wachter
Vice President of Operations

Cc: Members of the House Energy and Technology Committee